

BRB Nos. 04-157 BLA
and 04-157 BLA-A
Case No. 02-BLA-5241

DENNIS ROBINSON)	
)	DATE ISSUED: 04/29/2004
Claimant-Petitioner)	
Cross-Respondent)	
)	
v.)	
)	
KENTLAND ELKHORN COAL CORPORATION)	
)	
and)	
)	
THE PITTSTON COMPANY)	
)	
Employer/Carrier- Respondent)	
Cross-Petitioner)	
)	
DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT) OF LABOR)	
)	
Party-in-Interest)	ORDER

By Order dated March 9, 2004, the Board directed employer to show cause why its appeal should not be dismissed for failure to file the required Petition for Review and brief in BRB No. 04-157 BLA-A. 20 C.F.R. §§802.211, 802.218(b), 802.402(a).

Employer has not responded to the Board's Order. The Board's records indicate that counsel for employer has received the Order to show cause on March 12, 2004, as evidenced by the U.S. Postal Service Return Receipt. The Board therefore, dismisses employer's appeal, BRB No. 04-157 BLA-A, as abandoned. 20 C.F.R. §802.402.

Claimant's appeal, BRB No. 04-157 BLA remains pending.

By Order of the Board:

Thomas O. Shepherd, Jr.
Clerk of the Board